

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Feb 17, 2021**

SEAN F. McAVOY, CLERK

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**

BEVERLY L. o/b/o JML, a minor  
child.<sup>1</sup>,

Plaintiff,

vs.

ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:20-CV-03104-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

**ECF Nos. 17, 19**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 19, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney D. James Tree represents Plaintiff. Attorney David Burdett

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<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 represents Defendant. The parties have consented to proceed before a magistrate  
2 judge. ECF No. 6.

3 After consideration, **IT IS HEREBY ORDERED** that:

4 1. The parties' Stipulated Motion for Remand, **ECF No. 19**, is **GRANTED**.

5 2. The above-captioned case be **REVERSED** and **REMANDED** to the  
6 Commissioner of Social Security for further administrative proceeding pursuant to  
7 sentence four of 42 U.S.C. § 405(g).

8 On remand, the parties stipulate that the Appeals Council will instruct the  
9 ALJ to: "Conduct a de novo hearing to reevaluate the claimant's six domains of  
10 functioning and residual functional capacity, if applicable, including consideration  
11 of each medical opinion, providing reasons for any domain rated less limited or  
12 limitation discounted." ECF No. 19 at 1.

13 3. Judgment shall be entered for **PLAINTIFF**.

14 4. Plaintiff's Motion for Summary Judgment, **ECF No. 17**, is **STRICKEN**  
15 **AS MOOT**.

16 5. Upon proper presentation, this Court consider Plaintiff's application for  
17 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

18 The District Court Executive is directed to enter this Order, **enter**  
19 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

20 DATED February 17, 2021.

1                                    s/Mary K. Dimke  
2                                    MARY K. DIMKE  
3                                    UNITED STATES MAGISTRATE JUDGE  
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